

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS), filed on 12/30/2005, has been placed in the application file, and the information referred to therein has been considered as to the merits.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1 and 3-7** are rejected under 35 U.S.C. 102(e) as being anticipated by Valloppillil (US Pat #7302254).

For **claim 1**, Valloppillil discloses a process for remote monitoring of a location comprising:

transmitting, from a digital photographic device integrated with a mobile multimedia messaging services telephone, to an electronic address corresponding to a central monitoring device, an image that represents a part of a location from which said image is transmitted (col. 9, line 60 – col. 10, line 28).

For **claim 3**, Valloppillil discloses the process according to claim 1, further comprising taking photographs of said location, and performing said transmitting for said photographs, at periodic intervals (col. 9, line 60 – col. 10, line 28).

For **claim 4**, Valloppillil discloses the process according to claim 1, wherein said location is one of a plurality locations of monitored by said central monitoring device (col. 9, line 60 – col. 10, line 28).

For **claim 5**, Valloppillil discloses a device for remote monitoring of a location comprising a digital photographic device incorporated in a portable multimedia messaging services telephone that records and transmits images representing a part of said location to an electronic address corresponding to a central monitoring device (col. 9, line 60 – col. 10, line 28).

For **claim 6**, Valloppillil discloses the process of claim 1, wherein said location is a sales location (col. 13, lines 35-55).

For **claim 7**, Valloppillil discloses the device of claim 5, wherein said location is a sales location (col. 13, lines 35-55).

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 2 and 8-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over in view of Valloppillil (US Pat #7302254) in view of Courtney (US Pat #6385772).

For **claim 2**, Valloppillil discloses the process according to claim 1. However, Valloppillil does not expressly teach comparing said image to a standard, after said image is received at said central monitoring device; and triggering a telephone call to a device at said location, if said image does not conform to said standard.

In a similar field of endeavor, Courtney teaches comparing said image to a standard, after said image is received at said central monitoring device; and triggering a telephone call to a device at said location, if said image does not conform to said standard (col. 6, line 54 – col. 7, line 19). In light of the teaching of Courtney, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the process of Valloppillil with a comparing image process in order to detect the occurrence of an event of interest thereby effectively monitoring permitted access to any remote location (col. 1, lines 60-64; col. 6, line 54 – col. 7, line 19)

For **claim 8**, Valloppillil discloses a process for remote monitoring of a location, comprising: receiving, at an electronic address, an image transmitted from a digital photographic device integrated with a mobile multimedia messaging services telephone, wherein said image represents a part of a location from which said image is transmitted; (col. 9, line 60 – col. 10, line 28).

However, Valloppillil does not expressly teach comparing said image to a standard; and triggering a transmission of a message to a device at said location, if said image does not conform to said standard.

In a similar field of endeavor, Courtney teaches comparing said image to a standard; and triggering a transmission of a message to a device at said location, if said image does not conform to said standard (col. 6, line 54 – col. 7, line 19). In light of the teaching of Courtney, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the process of Valloppillil with a comparing image process in order to detect the occurrence of an event of interest thereby effectively monitoring permitted access to any remote location (Courtney col. 1, lines 60-64; col. 6, line 54 – col. 7, line 19)

For **claim 9**, Valloppillil, as modified by Courtney, discloses the process of claim 8, wherein said receiving, comparing and triggering are performed for images transmitted from said digital photographic device at periodic intervals (Valloppillil col. 9, line 60 – col. 10, line 28; Courtney col. 6, line 54 – col. 7, line 19).

For **claim 10**, Valloppillil, as modified by Courtney, discloses the process of claim 8, wherein said location is one of a plurality of locations, and wherein said receiving, comparing and triggering are performed for images from said plurality of locations (Valloppillil col. 9, line 60 – col. 10, line 28; Courtney col. 6, line 54 – col. 7, line 19).

For **claim 11**, Valloppillil, as modified by Courtney, discloses the process of claim 8, wherein said location is a sales location (Valloppillil col. 13, lines 35-55).

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Furon et al. (US 2005/0162518)

Transmitting images via MMS.

Heanton et al. (US 7262690)

Method and system for monitoring events.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carramah J. Quiett whose telephone number is (571)272-7316. The examiner can normally be reached on 10:00 am - 6:00 pm, Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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